



Linda S. Adams  
Secretary for  
Environmental Protection

## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
1011 North Grandview Avenue  
Glendale, California 91201



Arnold Schwarzenegger  
Governor

### CERTIFIED MAIL

March 20, 2007

Mr. George Perez  
City Manager  
City Hall, City of Cudahy  
5220 Santa Ana Street  
Cudahy, California 90201

### NOTICE OF INTENT TO PLACE A LIEN ON PROPERTY KNOWN AS THE CITY OF CUDAHY PARK PROPERTY, LOS ANGELES COUNTY, CALIFORNIA

Dear Mr. Perez:

The Department of Toxic Substances Control (DTSC) intends to place a lien upon the property known as the City of Cudahy Park Property. The property is identified as Assessor's Parcel Number 6224-014-905 and legal description 1 Heyman tract of the Rancho San Antonio that part outside consolidated sewer maint dist of that part W of LA River per FM 11143-3 and S of E prolongation of C/L of Santa Ana St of Lot 11. The property was the site of a hazardous substance release and was the subject of response actions taken by DTSC.

DTSC's authority to place a lien against the property is provided by section 25365.6 of the California Health and Safety Code. The lien is intended to secure payment to the State for costs and/or damages incurred and payable from State funds for which you, as a responsible party, are liable under Health and Safety Code section 25360 and section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9607(a).

The lien in favor of the State will continue until the liability for the costs is satisfied. If a court determines that a judgment against the liable parties will not be satisfied, then DTSC may exercise its rights under section 25365.6(c) of the Health and Safety Code. Based on the information in DTSC's records pertaining to this site the current amount owed to DTSC at this time is \$4,800,000.

If you believe DTSC's information or determination is incorrect you may notify DTSC by writing to Robert Elliott, staff counsel, at Department of Toxic Substances Control, Office of Legal Counsel, P.O. Box 806, Sacramento, California 95812-0806.

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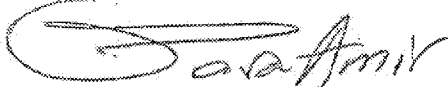
Your letter must be received no later than fourteen (14) calendar days from the date of receipt of this letter or DTSC will proceed with recording this lien. In your written response, specify your reasons for believing that DTSC does not have a basis for lien placement. You may include any documents that support your contention. If, upon receipt and review of this documentation, DTSC should find in your favor, you will be notified and DTSC will not place a lien on your property. Otherwise, lien placement will proceed without further review.

In addition to, or instead of, the written response described above, you may contact Mr. Elliott in writing within fourteen (14) calendar days from the date of receipt of this letter to request a meeting with a designee of the DTSC Director. During this meeting, you may present any information that you have indicating that DTSC does not have a reasonable basis for its determination that the statutory elements for lien placement are satisfied. You may attend the meeting in person or via telephone. You may be represented by counsel at this meeting. DTSC will be represented by its program staff and/or counsel. The meeting will be informal and will not be conducted using rules of evidence or formal administrative or judicial procedures. The sole issue will be whether DTSC has a reasonable basis for its determination that the statutory elements for lien placement under Health and Safety Code section 25365.6 are satisfied.

Following the meeting, the neutral official will issue a decision which will be furnished to you. By submitting information, or by participating in a meeting, neither you nor DTSC waives, or is prohibited from asserting, any claims or defenses in any subsequent legal or administrative proceeding. The sole issue at the meeting will be whether DTSC has a reasonable basis to believe that the statutory elements for lien placement are satisfied. Issues such as selection of a remedy, allocation of responsibility, and financial hardship are not relevant to a decision to place a lien and will not be considered at the meeting.

If you have any questions, please contact Robert Elliott, staff counsel, at (916) 327-6105.

Sincerely,



Sayareh Amir, Chief  
Southern California Cleanup Operations Branch - Glendale Office

Enclosure

cc: See next page

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cc: Mr. Richard Gebert  
Department of Toxic Substances Control  
1011 North Grandview Avenue  
Glendale, California 91201

Mr. Robert Elliott  
Office of Legal Counsel  
Department of Toxic Substances Control  
P. O. Box 806  
Sacramento, California 95812-0806

**CERTIFIED MAIL**  
**7006 0810 0003 4560 2305**  
**Return Receipt Requested**